

Senate Amendment 3383

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1 1 Amend Senate File 549 as follows:
1 2 #1. By striking everything after the enacting
1 3 clause and inserting the following:
1 4 <Section 1. Section 602.8107, subsection 4,
1 5 unnumbered paragraph 1, Code 2007, is amended to read
1 6 as follows:
1 7 All fines, penalties, court costs, fees,
1 8 surcharges, and restitution for court-appointed
1 9 attorney fees or for expenses of a public defender
1 10 which are deemed delinquent by the clerk pursuant to
1 11 subsection 3 may be collected by the county attorney
1 12 or the county attorney's designee. Thirty-five
1 13 percent of the amounts collected by the county
1 14 attorney or the person procured or designated by the
1 15 county attorney shall be deposited in the general fund
1 16 of the county if the county attorney has filed the
1 17 notice required in section 331.756, subsection 5,
1 18 unless the county attorney has discontinued collection
1 19 efforts on a particular delinquent amount. Up to one
1 20 million two hundred thousand dollars of the remainder
1 21 shall be paid each fiscal year to the clerks for
1 22 distribution under section 602.8108. If the threshold
1 23 amount of one million two hundred thousand dollars has
1 24 been distributed under section 602.8108, the remainder
1 25 shall be distributed as provided in subsection 5. ~~The~~
~~1 26 state court administrator shall notify the clerks that~~
~~1 27 the threshold amount has been distributed under~~
~~1 28 section 602.8108, and that the distribution of any~~
~~1 29 additional moneys collected by the county attorney~~
~~1 30 shall be as provided in subsection 5.~~
1 31 Sec. 2. Section 602.8107, subsection 5, Code 2007,
1 32 is amended by striking the subsection and inserting in
1 33 lieu thereof the following:
1 34 5. Any additional moneys collected in excess of
1 35 the threshold amount under subsection 4 shall be
1 36 distributed by the state court administrator as
1 37 follows: thirty-five percent of any additional moneys
1 38 collected by the county attorney or the person
1 39 procured or designated by the county attorney shall be
1 40 deposited in the general fund of the county where the
1 41 moneys were collected; thirty-three percent of any
1 42 additional moneys collected by the county attorney or
1 43 the person procured or designated by the county
1 44 attorney shall be deposited with the office of the
1 45 county attorney that collected the moneys; and the
1 46 remainder shall be paid to the clerk of the district
1 47 court for distribution under section 602.8108 or the
1 48 state court administrator may distribute the remainder
1 49 under section 602.8108 if the additional moneys have
1 50 already been received by the state court
2 1 administrator.
2 2 Sec. 3. Section 602.8109, subsection 2, unnumbered
2 3 paragraph 1, Code 2007, is amended to read as follows:
2 4 ~~No later than the fifteenth day of each calendar~~
~~2 5 month the~~ The clerk of the district court shall
2 6 deliver a statement to the county auditor ~~a statement~~
2 7 ~~no later than the fifteenth day of each month~~
2 8 disclosing all of the following:
2 9 Sec. 4. Section 602.8109, subsections 5 and 6,
2 10 Code 2007, are amended by striking the subsections and
2 11 inserting in lieu thereof the following:
2 12 5. The clerk of the district court shall deliver a
2 13 statement to the city clerk no later than the
2 14 fifteenth day of each month disclosing all of the
2 15 following:
2 16 a. The specific amounts of statutory fees and
2 17 costs that are payable by the city to the clerk of the
2 18 district court for services rendered by the clerk or
2 19 other state officers or employees during the preceding
2 20 month in connection with each civil or criminal
2 21 action, and the total of all such fees and costs.
2 22 b. Any amounts collected by the clerk of the
2 23 district court during the preceding month as costs in
2 24 an action when such amounts are payable by law to the

2 25 city as reimbursement for costs incurred by the city
 2 26 in connection with a civil or criminal action, and the
 2 27 total of all such amounts.
 2 28 6. If the amount owed by the city under subsection
 2 29 5, paragraph "a", for a calendar month is greater than
 2 30 the amount due to the city under subsection 5,
 2 31 paragraph "b", for that month, the city shall remit
 2 32 the difference to the clerk of the district court no
 2 33 later than the last of the month in which the
 2 34 statement under subsection 5 is received.
 2 35 Sec. 5. Section 602.8109, subsection 7, Code 2007,
 2 36 is amended to read as follows:
 2 37 7. If the amount due the city under subsection 5,
 2 38 paragraph "b", for a calendar month is greater than
 2 39 the amount owed by the city under subsection 5,
 2 40 paragraph "a", for that month, the clerk of the
 2 41 district court shall remit the difference to the city
 2 42 clerk no later than the last day of the month in which
 2 43 the statement under subsection 5 is delivered.
 2 44 8. Amounts not paid as required under subsection
 2 45 3, 4, 5, or 6, or 7 shall bear interest for each day
 2 46 of delinquency at the rate in effect as of the day of
 2 47 delinquency for time deposits of public funds for
 2 48 eighty-nine days, as established under section 12C.6.
 2 49 Sec. 6. Section 633.669, subsection 1, paragraph
 2 50 b, Code 2007, is amended to read as follows:
 3 1 b. An annual report within ninety days of the
 3 2 close of the reporting period unless the court
 3 3 otherwise orders on good cause shown.
 3 4 Sec. 7. Section 633.670, subsection 1, paragraph
 3 5 b, subparagraph (1), Code 2007, is amended to read as
 3 6 follows:
 3 7 (1) Annually, within ninety days of the close of
 3 8 the reporting period, unless the court otherwise
 3 9 orders on good cause shown.
 3 10 Sec. 8. Section 633.700, unnumbered paragraph 1,
 3 11 Code 2007, is amended to read as follows:
 3 12 Unless specifically relieved from so doing, by the
 3 13 instrument creating the trust, or by order of the
 3 14 court, the trustee shall make a written report, under
 3 15 oath, to the court, once each year within ninety days
 3 16 of the close of the reporting period, and more often,
 3 17 if required by the court. Such report shall state:
 3 18 Sec. 9. Section 633.32, Code 2007, is repealed.
 3 19 Sec. 10. EFFECTIVE DATE. The sections of this Act
 3 20 amending sections 633.669, 633.670, and 633.700, and
 3 21 repealing section 633.32, take effect September 30,
 3 22 2007.>
 3 23 #2. Title page, by striking lines 1 through 4 and
 3 24 inserting the following: <An Act relating to judicial
 3 25 branch practices and procedures, including
 3 26 distribution of court revenue to cities and counties,
 3 27 and reporting requirements in pending
 3 28 conservatorships, guardianships, estates, or trusts,
 3 29 and providing an effective date.>
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 3 34 SF 549.201 82
 3 35 jm/es/9002